



United States Attorney's Office
District of Columbia

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NEWS RELEASE

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Maryland man sent to prison for prescription fraud

--Prescription drug fraud results in 24-month jail sentence--

WASHINGTON - A 34-year-old North Beach, Maryland man, Rodney T. Fahrenholtz, has been sentenced to 24 months of incarceration, followed by one year of supervised release, for obtaining prescription drugs by fraud, U.S. Attorney Ronald C. Machen Jr. and Nicholas DiGiulio, Special Agent in Charge of the U.S. Department of Health and Human Services, Office of Inspector General (HHS - OIG) Philadelphia Region, announced today.

Fahrenholtz was indicted on November 9, 2009, and entered his guilty plea on December 14, 2009. He was sentenced late yesterday in the U.S. District Court for the District of Columbia before the Honorable Judge Ricardo M. Urbina.

According to the government's sentencing memorandum, this case arises from Medicare Part D, which is the prescription drug plan segment of Medicare. For those people who are Medicare beneficiaries (generally those over 65 years of age, but also those who are disabled and receive Social Security Administration benefits), Medicare will pay for prescription drugs which are prescribed by physicians for the benefit of the patients, ordered within the scope of the physician's practice, and which are medically necessary.

The defendant, Rodney Fahrenholtz, was a beneficiary of the Medicare health care benefit program in that he received Supplemental Security Income from the Social Security Administration. From January 2006 to at least July 2009, Fahrenholtz obtained over 147 prescriptions for over 5,600 tablets or pills for Schedule II controlled substances, including: Oxycodone; Hydrocodone; Hydromorphone; Dilaudid; Methadone; among others. Doctors who prescribe pain medication are particularly sensitive to the need to have a single physician handle all of the drug requests of the patient. As a result, many doctors require patients to sign agreements that they would not seek pain medications from any other doctors while under the care of the first doctors. Fahrenholtz signed at least five of such

agreements. Notwithstanding these contracts, the defendant fraudulently engaged in "doctor shopping," i.e. visiting different doctors to obtain additional pain medication prescriptions. Fahrenholtz violated each of these agreements by seeking out prescriptions from about 80 doctors during this 3½ year time period. In addition, the defendant filled these prescriptions at 54 different pharmacies.

These violations of the pain management contracts were blatant. For example, in April 2007, the defendant signed a contract with The Greater Metropolitan Orthopedics, Dr. A.S., agreeing that he (Fahrenholtz) would not receive Schedule II medicines from another physician. On June 16, 2009, the defendant filled a prescription from Dr. A.S. for 40 Oxycontin 80 mg tablets. This prescription was to last for 20 days. Two days later on June 18, 2009, however, the defendant filled a prescription for 90 Oxycontin 40 mg tablets from a different doctor (Dr. S.K.) and filled another prescription for 90 Oxycontin 20 mg tablets from a third doctor (Dr. S.M.). The defendant filled prescriptions from three different doctors for a total of 220 Oxycontin tablets in strengths of 80 mg, 40 mg, and 20 mg, in the span of three days.

In announcing the sentence, U.S. Attorney Machen and Special Agent in Charge DiGiulio commended the entire Washington D.C. office of HHS-OIG, including Special Agent Cindy Sheedy, and in particular lead case agent Special Agent Tracy McFadden. They also commended Paralegal Specialists Diane Hayes, Maggie McCabe, Sarah Reis, and Assistant U.S. Attorney Virginia Cheatham, who prosecuted the case.

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